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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 VIOLET BLUE, an individual,
14 Plaintiff/Counter-Defendant,
15 vs.
16 ADA MAE JOHNSON, et al.,
17 Defendant/Counter-Plaintiff.

Case No.: C 07-5370 SI

**DECLARATION OF ADA MAE
WOFFINDEN IN SUPPORT OF
DEFENDANT WOFFINDEN'S RESPONSE
IN OPPOSITION TO PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION**

Hon. Susan Illston
Courtroom 10, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Hearing Date: May 9, 2008
Hearing Time: 9:00 AM

23 COMES NOW the Defendant, Ada Mae Woffinden, and upon her oath does declare and state as
24 follows:

25 1. I am at least 18 years of age, have personal knowledge of the matters averred herein and,
26 if called to testify, could and would testify to the matters averred herein;

27 2. I am a defendant in the above-captioned matter;

28 3. I began using the stage name "Violet Blue" as least as early as December 20, 2000, in an

adult entertainment film titled "Simon Wolf's Beauty and the Bitch 2" produced by Adam and Eve;

4. I may have used the name "Violet Blue" earlier than December 20, 2000, but I am unable to locate any box cover or other document, as I was able to do for "Simon Wolf's Beauty and the Bitch 2", that shows that I used "Violet Blue" at an earlier date;

5. Prior to using the stage name "Violet Blue," I used the stage name "Violet" for a period of time during the year 2000, and to my awareness some of the work I did using that name was released to consumers in 2001;

6. Also prior to adopting the stage name "Violet Blue," I used the stage name "Violet Lust" for one performance in a single video which, to the best of my recollection, was released to the public at some point in 2001;

7. After using the stage names "Violet" and "Violet Lust," I chose to adopt the stage name "Violet Blue" because I liked it more than "Violet Lust" and it was my favorite colored crayon by Crayola;

8. Before I adopted my stage name "Violet Blue," I conducted a search of the Internet using the Google search engine for others using the name "Violet Blue," but I received no results other than for flowers;

9. My search of the Internet when I adopted my mark produced no information concerning the Plaintiff in this case;

10. I did not know that the Plaintiff existed, or that she used her name as any form of trademark, when I adopted my stage name "Violet Blue";

11. During the year 2001, I performed in no less than fifteen adult films;

12. In January 2002, the adult industry news publication AVN recognized my work during the year 2001 as an adult entertainment actress using my stage name "Violet Blue" by awarding me the Best New Starlet Award for the year 2001;

13. The Best New Starlet Award I received in 2002 was the same award given to Jenna Jameson in 1996, and is considered to be the most coveted award among performers given to the actress whom the industry believes has displayed the greatest amount of potential and quality in her debut year;

14. I have utilized "Violet Blue" as my stage name continually and consistently since I

1 adopted "Violet Blue" as my stage name;

2 15. I have performed in over 150 adult entertainment films as "Violet Blue" since I adopted
3 "Violet Blue" as my stage name;

4 16. I have used my stage name "Violet Blue" in the areas adult entertainment acting,
5 modeling and burlesque, as well as in autograph signings, public appearances to promote myself and her
6 work, and I continue to do so;

7 17. I have not, however, performed in any form of traditional boy/girl adult entertainment
8 since about June 2007, though I did perform in one scene in about April 2007 with my significant other;

9 18. I do not use my "Violet Blue" stage name to provide sexual information or education or
10 in the areas of technology or geek culture and have no plans to do so;

11 19. I have not personally authorized the release of any DVD or VHS videos in which I am
12 featured since this lawsuit began, and I have not authorized any others to release any videos, as I do not
13 own the copyrights to any such videos, and signed model releases allowing for the copyright holder's
14 use of her name and likeness;

15 20. I do not own copyrights to many of the films in which I have performed because many
16 times I signed model releases assigning the copyrights to these film to the producer;

17 21. The model releases that I signed also allowed the producers of the films to use of my
18 name and likeness;

19 22. I have no control over how the copyright holders make use of films in which I assigned
20 the copyright and the right to utilize my name and likeness;

21 23. I attempted to reconcile this lawsuit with the Plaintiff after the suit was filed, but before I
22 had an attorney, by attempting to change my stage name "Violetta Blue." Upon the advice of counsel,
23 and because I had spent so much time and effort establishing myself as "Violet Blue" in the adult
24 entertainment industry and with the consuming public, I chose to continue to use "Violet Blue" as my
25 stage name as I believe I have a right to do.
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1 I declare, under penalty of proof of perjury under the laws of the United States that, to the best of
2 my knowledge, the foregoing is true and accurate.

3 FURTHER YOUR DECLARANT SAYETH NAUGHT.

4 DATED THIS 18th day of April 2008. Signed at Pacific Beach, Washington.
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7 /s/ Ada Mae Woffinden
8 Ada Mae Woffinden
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